

IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI
WESTERN DIVISION

PATRICK D. FLUKER, #101069

PLAINTIFF

VERSUS

CIVIL ACTION NO. 5:06cv70DCB-JCS

**STAN CANOY CHRISTOPHER EPPS,
and DOLAN WALLER**

DEFENDANTS

FINAL JUDGMENT

This cause is before the Court, sua sponte, for consideration of dismissal. Pursuant to the Memorandum Opinion issued this day, it is hereby,

ORDERED AND ADJUDGED that this cause is dismissed, with prejudice, for failure to state a claim on which relief may be granted, pursuant to 28 U.S.C. § 1915(e)(2)(B)(ii). This dismissal will count as a "strike" in accordance with 28 U.S.C. § 1915(g). Any habeas claims the petitioner may be asserting are dismissed, without prejudice.

SO ORDERED AND ADJUDGED, this the 19th day of September, 2006.

S/DAVID BRAMLETTE
UNITED STATES DISTRICT JUDGE